

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

DANNY D. HESTDALEN,

Plaintiff,

v.

CORIZON CORRECTIONS

HEALTHCARE, et al.,

Defendants.

No. 2:18-CV-39-JAR

MEMORANDUM AND ORDER

This matter is before the Court on pro se plaintiff Danny D. Hestdalen's motion for more definite statement and motion for an extension of time to respond to defendants' answers and affirmative defenses. For the following reasons, the motions will be denied.

On September 13, 2018, defendants Corizon, LLC, John DeGhetto, Ruanne Stamps, Bonnie Boley, Geneen Wilhite, Debbie Willis, Laurel Davison, and Trinidad Aguilera ("Corizon defendants") filed their answer and affirmative defenses to plaintiff's civil rights complaint. On September 14, 2018, defendant Lisa Pogue filed her answer and affirmative defenses.

On October 4, 2018, plaintiff filed a motion seeking a more definite statement as to defendants' affirmative defenses. Plaintiff cites to Federal Rule of Civil Procedure 12(e) as his basis for this motion. Rule 12(e) states that "[a] party may move for a more definite statement of a pleading *to which a responsive pleading is allowed* but which is so vague or ambiguous that the party cannot reasonably prepare a response." Fed. R. Civ. P. 12(e) (emphasis added). Rule 12(e)'s provision for a more definite statement applies only to pleadings "to which a responsive pleading is allowed." Responses to answers are only allowed if the Court orders one. *See* Fed. R. Civ. P. 7(a)(7). The Court has not ordered plaintiff to respond to defendants' answers.

Because defendants' answers and affirmative defenses are not pleadings to which a responsive pleading is allowed, the Court will deny plaintiff's motion for a more definite statement as to these pleadings.

On November 5, 2018, plaintiff filed a motion for an extension of time to reply to defendants' answer and affirmative defenses. Again, a response to an answer is allowed only if ordered by the Court. *See* Fed. R. Civ. P. 7(a)(7). The Court has not ordered plaintiff to respond to defendants' answers, and therefore it will deny plaintiff's motion for an extension of time to file such a response.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a more definite statement as to defendants' affirmative defenses is **DENIED**. [ECF No. 32]

IT IS FURTHER ORDERED that plaintiff's motion for an extension of time to reply to defendants' answers and affirmative defenses is **DENIED**. [ECF No. 33]

Dated this 6th Day of November, 2018.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE